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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

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5 Hiram Glenn, JR,

6 Plaintiff(s),

7 v.

8 Mission Support and Test Services LLC (MSTS)/
9 Upper Management and Laborer Relations
10 Representative (Taylor Andrews), MSTs ADA
11 Coordinator (Angelica
12 Wolf),

Defendant(s).

2:22-cv-00712-RFB-BNW

**ORDER SCHEDULING EARLY NEUTRAL
EVALUATION SESSION**

13 PLEASE TAKE NOTICE that pursuant to the current Court-Based Early Neutral Evaluation
14 (“ENE”) Program in the District of Nevada as outlined in Local Rule 16-6, an ENE session has been
15 scheduled to commence by **video conference at 10:00 a.m., August 2, 2023, before U.S. Magistrate**
16 **Judge, Cam Ferenbach.**

17 IT IS HEREBY ORDERED that counsel/parties must email chambers at
18 VCF_Chambers@nvd.uscourts.gov, with all email address(es) to be used for the video conference hearing
19 by noon, **July 26, 2023.**

20 Lead trial counsel, all parties appearing pro se, if any, and all individual parties must be present.

21 In the case of organizational or corporate parties, counsel shall arrange for a representative with
22 binding authority to settle this matter up to the full amount of the claim to be present for the duration of
23 the ENE session.

24 If any party is subject to coverage by an insurance carrier, then a representative of the insurance
25 carrier with authority to settle this matter up to the full amount of the claim must be present for the duration

1 of the ENE session. This representative must be the adjuster primarily responsible for the claims or an
 2 officer with supervisory authority over the adjustor. Third party administrators do not qualify.

3 A request for an exception to the above attendance requirements must be submitted to the
 4 undersigned for approval at least two weeks prior to the ENE session. Counsel of record, individual
 5 parties, and a fully authorized representative must be present unless the court enters an order granting a
 6 request for exception.

7 **PREPARATION FOR ENE SESSION**

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 9 In preparation for the ENE session, the attorneys for each party, and the parties appearing *pro se*,
 10 if any, must submit a confidential written evaluation statement for the Court's in camera review. The
 11 evaluation statement must be concise and must:

12 (A) Identify by name or status the person(s) with decision-making authority who, in addition to
 13 the attorney, will attend the early neutral evaluation session as representative(s) of the party, and
 14 persons connected with a party opponent (including an insurer representative) whose presence
 15 might substantially improve the utility of the early neutral evaluation session or the prospects of
 16 settlement;

17 (B) Describe briefly the substance of the suit, addressing the party's views on the key liability and
 18 damages issues;

19 (C) Address whether there are legal or factual issues whose early resolution would reduce
 20 significantly the scope of the dispute or contribute to settlement negotiations;

21 (D) Include copies of documents, pictures, recordings, etc. out of which the suit arose, or whose
 22 availability would materially advance the purposes of the evaluation session (e.g., medical
 23 reports, documents by which special damages might be determined);
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 25

1 (E) Discuss the strongest and weakest points of your case, both factual and legal, including a candid
2 evaluation of the merits of your case;

3 (F) Estimate the costs (including attorney's fees and costs) of taking this case through trial;

4 (G) Describe the history of any settlement discussions and detail the demands and offers that have
5 been made and the reason settlement discussions have been unsuccessful; and

6 (H) Certify that the party has made initial disclosures under Fed. R. Civ. P. 26(a)(1) and that the
7 plaintiff has provided a computation of damages to the defendant under Fed. R. Civ. P.
8 26(a)(1)(A)(iii). Initial disclosures and damages calculations must be served one week prior to the
9 ENE. A stay of discovery does not excuse compliance with this order.

10 (I) The evaluation statement must be bound pursuant to LR IA 10-1, 10-2 and 10-3.

11 The written evaluation statements must be delivered to chambers or (if statements and exhibits are
12 over 100 pages, please send in multiple e-mails.) emailed to VCF_Chambers@nvd.uscourts.gov, not later
13 than **4:00 p.m., July 26, 2023. DO NOT FILE. DO NOT MAIL THEM TO THE CLERK'S**
14 **OFFICE. DO NOT SERVE A COPY ON OPPOSING COUNSEL.**

15 The purpose of the evaluation statement is to assist the undersigned Magistrate Judge in preparing
16 for and conducting the ENE session. In order to facilitate a meaningful session, your utmost candor in
17 providing the requested information is required. **The evaluation statements will not be seen by or**
18 **shared with the district judge or magistrate judge to whom this case is assigned.** The evaluation
19 statements will be seen by no one except the undersigned. Each statement will be securely maintained in
20 my chambers, U.S. Magistrate Judge Cam Ferenbach (3rd Floor, 333 Las Vegas Boulevard South, Ste.
21 3005, Las Vegas, Nevada 89101), and will be destroyed following the session.

22 DATED this 14th day of June 2023.

23
24 
25 CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE